

United States Court of Appeals
For the Eighth Circuit

No. 17-2600

Depositors Insurance Company,

Plaintiff - Appellee,

v.

Hall's Restaurant, Inc.,

Defendant,

Carolyn Hall,

Defendant - Appellant.

Appeal from United States District Court
for the Eastern District of Missouri - St. Louis

Submitted: March 29, 2018

Filed: April 3, 2018

[Unpublished]

Before WOLLMAN, COLLOTON, and SHEPHERD, Circuit Judges.

PER CURIAM.

Carolyn Hall appeals from the judgment of the district court¹ that “pierced the corporate veil” to hold her personally liable for attorney’s fees incurred by Depositors Insurance Company in a fire-loss diversity action filed against her Missouri corporation, Hall’s Restaurant, Inc. Whether to pierce a corporate veil is a legal determination that is governed by state law. *See Stoebner v. Lingenfelter*, 115 F.3d 576, 579 (8th Cir. 1997).

Reviewing the district court’s legal determination de novo and its supporting factual findings for clear error, we conclude that the district court correctly found that (1) Hall possessed complete control and domination of the restaurant; (2) Hall used her control to commit a fraudulent act; and (3) Hall’s control and wrong doing was the proximate cause of the insurance company’s injury. Therefore, the court properly granted Depositors’s motion to pierce the corporate veil. *See Haynes v. Edgerson*, 240 S.W.3d 189, 197 (Mo. App. 2007) (discussing elements required to pierce corporate veil).

The judgment of the district court is affirmed. *See* 8th Cir. R. 47B.

¹The Honorable Stephen N. Limbaugh, Jr., United States District Judge for the Eastern District of Missouri.